

**Endorsement of Mr. Justice Koehnen dated October 20, 2020**

**From:** Koehnen, Mr. Justice Markus (SCJ)

**Sent:** October 20, 2020 6:36 PM

**To:** Stam, Jennifer <jennifer.stam@nortonrosefulbright.com>; Sutton, Randy <randy.sutton@nortonrosefulbright.com>; Choi, Peter <peter.choi@nortonrosefulbright.com>; Bobby Kofman <bkofman@ksvadvisory.com>; Jeff.Larry@paliareroland.com; Carey, Peter <pcarey@loonix.com>; Lambert, Thomas <tlambert@loonix.com>

**Cc:** JUS-G-MAG-CSD-Toronto-SCJ Commercial List

**Subject:** Re: 31-2675288 - In the Matter of the Notice of Intention to Make a Proposal of 2505243 Ontario Limited

This email constitutes my endorsement arising out of today's hearing and should be placed into the court file.

I have attached a signed order extending the time period for 250 Co. to file a proposal. The order also approves a DIP facility.

The extended time period is intended to permit litigation between 250 Co. and Princess Gates to be completed within the life of the NOI. The parties have agreed in principle to work on a schedule that would lead to a trial in February 2021. I will make myself available if the parties have any difficulties in arriving at a schedule. Given the ultimate timeline for a proposal to be filed, the dates in the schedule should be treated as peremptory to both sides.

The extension of the stay contemplated in the attached order does not, however, in any way inhibit the right of Princess Gates to mount a counterclaim to any claim that 250 Co. may launch against princess Gates.

In a similar vein, neither the extension of the stay nor the approval of the DIP facility is intended to preclude any motion for security for costs against 250 Co.